

# IMPLEMENTING FEDERAL SUPPLEMENTAL EDUCATION SERVICE (SES) REQUIREMENTS

August 10, 2010

# Agenda

- I. Overview
- 2. LEA Responsibilities
- 3. Eligible Students
- 4. Informing Parents
- 5. 20 Percent Obligation
- 6. SES Provider Responsibilities



# Overview of SES Title I, Section 1116(e)

Supplemental educational services (SES) are additional academic instruction designed to increase the academic achievement of students in Title I schools in the second year or higher of school improvement.

SES provides extra academic assistance for eligible children. Students from low-income families who are attending Title I schools that are in their second year or higher of school improvement.

State educational agencies (SEAs) are required to identify entities, both public and private, that qualify to provide these services. Parents of eligible students are then notified, by the LEA, that SES will be made available, and parents may select any approved provider in the geographic area served by the LEA or within a reasonable distance of that area that they feel will best meet their child's needs. The LEA will sign an agreement with the provider selected by the parent, and the provider will then provide services to the child and report on the child's progress to the parents and to the LEA.

#### LEA Responsibilities

#### An LEA must:

- Annually notify parents about the availability of services
- Help parents choose a provider if requested. (However if LEA is an approved provider, assistance should be unbiased. An LEA cannot merely assign students to SES providers)
- Apply fair and equitable procedures for serving students if not all students can be served.
- Ensure that eligible students with disabilities and LEP students receive appropriate services
- Enter into an agreement with a provider selected by the parents of an eligible student.



#### LEA Responsibilities continued...

- Protect the privacy of students who are eligible for or receive SES
- Prominently display on its Web site, in a timely manner to ensure that parents have current information: (a) the number of students who were eligible for and the number of students who participated in SES and (b) the current list of providers approved by the SEA to serve in the LEA and the locations where services are provided.
- Meet its 20 percent obligation.



# Eligible Students

Eligible students are all students from low-income families who attend Title I schools that are in their second year or higher of school improvement. Eligibility is not dependent on whether a student is a member of a subgroup that did not make AYP or whether a student is in a grade that takes the statewide assessments.

Eligible students must attend a public school.



# **Informing Parents**

At least annually, an LEA must provide notice to the parents of each eligible student regarding the availability of SES. Specific information about the timing of services should be provided directly to the parents of eligible students so that there is sufficient time to allow them to select an SES provider.

An LEA must provide notice regarding public school choice "sufficiently in advance of, but no later than 14 calendar days before, the start of the school year" [34 C.F.R. §200.37(b)(4)(iv)]

At a minimum, an LEA acknowledge in its public school choice notification to parents that SES are also an option for eligible students and that additional information about SES will be forthcoming.



#### Informing Parents continued....

#### An LEAs' notice to parents must:

- 1. Explain how parents can obtain SES for their child.
- 2. Identify each approved SES within the LEA or in its general geographic region
- 3. Describe briefly the services.
- 4. Include an explanation of the benefits of receiving SES

Additionally the LEA should describe the procedures and timelines that parents must follow to select a provider to serve their child, such as where and when to return the completed application, when and how the LEA will notify parents about enrollment dates and start dates; and who to contact in the LEA for more information.



### Informing Parents continued....

#### SES Parent Notice must be:

- Easily understandable and to the extent possible in a language that the parents can understand.
- 2. Clear and concise, and clearly distinguishable from other information on school improvement that an LEA sends to parents.

#### <u>Deadlines</u>

An LEA may establish a reasonable deadline by which parents must sign up for services.



#### 20 Percent Reserve

- Joint funding for choice-related transportation and SES.
- 20 percent of Title I allocation
  5% on transportation for choice
  5% on SES (no transportation)
  10% on both
- If an LEA spends less than the amount needed to meet its 20% obligation, it must meet the criteria in 34 CFR before it may use unexpended funds from the 20 percent obligation for other activities.



# To spend less than the amount needed to meet its 20 percent obligation, an LEA must—

Partner, to the extent practicable, with outside groups, such as faith-based organizations, other community-based organizations, and business groups, to help inform eligible students and their families of the opportunities to transfer or to receive supplemental educational services.

Ensure that eligible students and their parents have a genuine opportunity to sign up to transfer or to obtain supplemental educational services, including by—

- (1) Providing timely, accurate notice as required in §§200.36 and 200.37;
- (2) Ensuring that sign-up forms for supplemental educational services are distributed directly to all eligible students and their parents and are made widely available and accessible through broad means of dissemination, such as the Internet, other media, and communications through public agencies serving eligible students and their families; and
- (3) Providing a minimum of two enrollment "windows," at separate points in the school year, that are of sufficient length to enable parents of eligible students to make informed decisions about requesting supplemental educational services and selecting a provider.



Ensure that eligible supplemental educational services providers are given access to school facilities, using a fair, open, and objective process, on the same basis and terms as are available to other groups that seek access to school facilities;

- (ii) Maintain records that demonstrate the LEA has met the criteria in paragraph (d)(2)(i) of this section; and
- (iii) Notify the SEA that the LEA—
- Has met the criteria in paragraph (d)(2)(i) of this section; and
- Intends to spend the remainder of its 20 percent obligation on other allowable activities, specifying the amount of that remainder.



# SES Provider Responsibilities

An SES provider is responsible for meeting the terms of its agreement with the LEA, including:

- Enabling the student to attain his or her specific achievement goals (as established by the LEA, in consultation with the student's parents and the provider)
- Measuring the student's progress, and regularly informing the student's parents and teachers of that progress
- Adhering to the timetable for improving the student's achievement that is developed by the LEA in consultation with the student's parents and the provider



#### SES Provider Responsibilities continued...

- Ensuring that it does not disclose to the public the identity of any student eligible for or receiving SES without the written permission of the student's parents.
- Providing SES consistent with applicable health, safety, and civil rights laws
- Providing SES that are secular, nuetral, and nonideological

SES providers may offer services in the summer.



#### **Parents**

Parents may select any provider from the State-approved list, so long as the provider is able to provide services in or near the area served by the LEA.

Parents have the option to change or terminate services.

Parents, the LEA, and the provider must develop and identify specific achievement goals for the student.



#### Cooperation

LEAs, parents, and SES providers should all strive to work together to achieve the best services for the students. SES service should not be viewed as a competition, but rather as an opportunity to assist students in need.

